

**MINUTES OF THE  
LEGISLATIVE PROCESS COMMITTEE**

September 15, 1999 - 9:00 a.m. - Room 403 - State Capitol

**Members Present:**

Sen. Leonard M. Blackham, Senate Chair  
Rep. Melvin R. Brown, House Chair  
Sen. D. Edgar Allen  
Sen. Terry Spencer  
Rep. Patrice M. Arent  
Rep. Brent H. Goodfellow  
Rep. Evan L. Olsen  
Rep. Raymond W. Short

**Staff Present:**

Mr. Stewart E. Smith,  
Managing Research Analyst  
Mr. John L. Fellows,  
Associate General Counsel  
Ms. Audrey Madsen,  
Legislative Secretary

**Note:** A list of others present and copies of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

**1. Call to Order** - Chair Blackham called the meeting to order at 9:15 a.m.

Rep. Arent clarified the Salt Lake Tribune's misunderstanding of her comments from the joint meeting on August 19, 1999, with the Legislative Compensation Committee. When she said that she spends more than 20% of her time on legislative work, she did not imply that she should be paid a full time salary for her work.

**2. Committee Business**

**MOTION:** Rep. Olsen moved to approve the minutes of the August 19, 1999 meeting. The motion passed unanimously, with Senators Allen and Spencer absent for the vote.

**3. Budget Process Restructuring** - Chair Blackham reviewed his "Budget Process Proposal," which was mailed to committee members. He suggested the following changes: that on the Friday of the third week, a proposed budget be published for each subcommittee; and that during the fourth week, the subcommittee hold hearings on their budget.

Rep. Arent asked if the monthly appropriation subcommittee meetings would be public. She said she felt that the public should be involved in this process. Rep. Short asked if it would be advantageous in the interim for co-chairs or persons with expertise to go to specified meetings and receive compensation, with the approval of the management committee. Rep. Goodfellow suggested the agencies be given plenty of time to present information to the committee to enhance the understanding of the committee.

Sen. Allen suggested that more effort is needed to educate new legislators. Sen. Allen suggested that when the appropriation subcommittee chairs meet with the Fiscal Analyst, during the interim, to discuss budget and agenda, a non-voting minority representative should also be authorized to attend.

Sen. Blackham distributed revised copies of the "Budget Process Proposal." Rep. Goodfellow suggested that the third sentence, under the heading "Third Week" read, "They may take public testimony." He pointed out that it doesn't hurt the process, but gives it more flexibility. Mr. Fellows suggested the words "unless necessity requires it." be added to the end of that sentence.

**MOTION:** Rep. Short moved to adopt Sen. Blackham's Budget Process Proposal, with the addition of Sen. Blackham's and Rep. Goodfellow's revisions and with the addition of authority granted to the appropriation subcommittee chairs, with Legislative Management Committee approval, to authorize legislators to attend and be paid for fact finding and other useful visits. Committee discussion followed.

Rep. Arent said the more education the better and if it is good for one side, it is good for another. Sen. Allen said that because it has been a certain way for eighteen years, it doesn't necessarily make it right.

**SUBSTITUTE MOTION:** Sen. Allen moved the following amendments to Sen. Blackham's "Budget Process Proposal." In the section titled "During the interim" in the first bullet point, after the first sentence insert: "If majorities of both houses are from the same party, the minority leader shall appoint a member of the committee from the minority party to serve with the chair and co chair in attending the four meetings with the Fiscal Analyst with similar compensation. The minority member shall serve in an advisory capacity and may not vote." In the section titled "During the interim" in the first bullet point, in the parenthetical phrase, after "These meetings would" delete the rest of the sentence and insert "provide education and adequate preparation for the committee to be able to accomplish its tasks." The motion failed with Sen. Allen, Reps. Goodfellow and Arent voting in favor of the motion.

Rep Short withdrew his original motion.

**MOTION:** Rep. Short moved to adopt "during the interim" portion of the Budget Process Proposal. Committee discussion followed. The motion passed unanimously.

**4. Ways and Means Committee / Budget Process** - Stan Eckersly referred to the handout titled "Ways and Means Committee." He pointed out that the average session length is 145 days, and Utah has the third shortest session in the country, with 45 days. In particular, he cited the example of Idaho, which does their budget through a single committee called the Joint Finance Appropriations Committee. He said that a single committee system provides better breadth across the entire budget. The subcommittee system provides less depth, but maximizes participation, leadership, in-depth analysis, and public comment. Discussion followed.

Bill Dinehart presented and discussed the handout titled "Budget Process Restructuring" In summary, he said the Fiscal Analyst's proposal to delegate the power to subordinate groups is a question of political power, and is entirely up to the legislature.

Sen. Blackham said that because all final decisions lie with the vote of the legislature, each legislator should take the opportunity of making sure they are aware of all the issues.

**5. Mini Appropriations Acts**

**MOTION:** Rep. Short moved to accept the draft "Joint Rules Resolution - Mini Appropriations Process." Committee discussion followed.

Rep. Arent said that if the proposal were adopted, appropriation subcommittees would have even less time to prepare their budget. She said that under the existing process, the public has an opportunity to provide input. Committee discussion followed.

**SUBSTITUTE MOTION:** Rep. Goodfellow moved to proceed to item six on the agenda. The motion failed, with Rep. Arent and Goodfellow voting in favor of the motion. Sen. Allen was absent for the vote.

The original motion passed with Rep. Arent and Goodfellow voting against the motion. Sen. Allen was absent for the vote.

**6. Committee Review of Bills** - Mr. Fellows reviewed the committees previous discussions of this issue. Sen. Spencer suggested that holding a bill over is a good idea, so the committee doesn't have to start all over at the Legislative Session. He related an example where a bill passed the Senate and the House, and then due to lack of funding the enacting clause was struck. The bill had to start over and pass in both houses again. He suggested that money and effort could be saved by not requiring the bills go through both houses a second time. Committee discussion followed.

**MOTION:** Rep. Brown moved that every bill be required to have a hearing in both chambers, before passing. Committee discussion followed. The motion passed unanimously.

**7. Scope of the Legislative Compensation Commission** - Mr. Fellows distributed a handout titled "Law Governing Legislative Salaries and Expenses." He explained that the committee had asked whether or not the Legislative Compensation Commission should have more authority generally over the compensation package of legislators. Rep. Short asked if the Constitution needed to be changed to give the power to the Legislative Compensation Commission? Sen. Blackham said the committee has not given that commission authority to make recommendations on expenses and benefits. These have always been decided by the legislature. Rep. Short said that he feels it is currently being done the best way. Sen. Blackham

suggested legislators receive a base salary covering the legislative session and interim days. He said that meetings in addition to these covered in the base salary should also be compensated.

**MOTION:** Rep. Short moved that staff write a letter to the Legislative Compensation Commission suggesting that a base salary be established plus a salary compensation for additional meetings outside of regular session and interim.

Rep. Arent asked if they were trying to expand the amount of money legislators receive or if they were just trying to expand the amount of days compensated. Committee discussion followed, after which, Rep. Short withdrew his motion.

**8. Next Meeting -** The next meeting of the Legislative Process Committee is planned for Wednesday, Oct. 21, 1999, at 9:00 a.m. in room 403, State Capitol.

**9. Adjourn**

**MOTION:** Sen. Spencer moved to adjourn the meeting at 11:50 a.m. The motion passed unanimously.